

OFFICIAL MINUTES OF THE GOODLETTSVILLE
BOARD OF ZONING AND SIGN APPEALS

Date: January 19, 2021

Time: 5:00 P.M.

Place: REMOTE FORMAT MEETING

Members Present: Chairman Mike Broadwell, Cisco Gilmore, Vice Chairman Mark Writesman, Jay Philpot, Brian Rager – During roll call members discussed being alone at their location

Absent:

Also Present: Addam McCormick-Planning Director, Tim Ellis- City Manager, Russell Freeman-City Attorney

McCormick (staff) discussed the remote meeting format is based on the State of Tennessee Governor's Order to allow remote meetings to protect the health of board members, staff members, and applicant and the City's intent to continue the business operation of the city. Staff discussed the notice sent to adjacent property owners and signage installed with meeting viewing and participation access codes request.

Staff discussed one property owner requested the participation codes for the meeting

2021 Officer Election- Gilmore made a motion to nominate Writesman for Chairman, Rager seconded the motion. Writesman made a motion to nominate Gilmore for Vice-Chairman, Philpot seconded the motion. Motion to adjourn passed unanimously. Roll call vote completed

Chairman Broadwell called the meeting to order at 5:00 pm and declared a quorum. Staff stated no changes to the agenda. Gilmore made a motion to approve the minutes of the November 10, 2020 Board of Zoning and Sign Appeals meeting as written, Philpot seconded the motion. The motion was approved unanimously.

Freeman confirmed that Board's roll call vote with them responding as hear is yes for approvals. The Board members confirmed yes.

Item#1 **Marty Stone, Property Owner: Request variances from Zoning Ordinance Sections 14-208 (1)(c) and 14-208 (1)(e) regarding size, location, and construction of accessory building on 25.95 acres at 309 Happy Hollow Road. Property is zoned R40 Low Density Residential and is referenced as Sumner County Tax Map/Parcel# 121-130.06**

Philpot discussed not participating in this agenda item due to his family relationship with the applicant

Representative: Cindy and Marty Stone, Property Owners and Marty Cook, Legal Representative

Staff Discussion Items:

- Property location, acreage, and zoning information
- Property contours and topography and proposed garage building location
- Zoning Ordinance sections regarding seventy (70%) percent accessory building square footage allowance, location behind primary single family residential building, and maximum height of accessory building at eighteen (18') feet
- R-40 lot coverage twenty (20%) percent of lot and maximum floor ratio twenty-five (25%) percent both permitted allowances are well over the proposals
- Variance proposal including 6,720 sq. ft. accessory building and 5,215 sq. ft. house, accessory building location 800+ feet in front of house and 140 feet below house location
- Applicants proposal for deed division to create another five (5+) acreage lot out of the property for a single family house and the proposal for both property owners to share the proposed accessory garage building based on limitations for large building pad available area without extensive excavation
- Presented plan showing locations of house and accessory building and renderings provided by applicant showing proposed accessory building location, colors, and landscaping to reduce visual impact of building from Happy Hollow Road
- Accessory building plan showing twenty-three (23'-8") feet-eight inch to peak of roof and eighteen (18') feet at the bottom of roof slope and could do flat roof but requested sloped roof
- Applicant presented the height is for RV and recreational facilities in the building
- Variance review standards read through per the Zoning Ordinance for the Board to review the request
- Staff recommendation approval based on the following items:
 - 25.95-acre property in relation to the R40 Zoning Ordinance provisions including property size and total building lot coverage and maximum floor area allowances,

-Due to topographical conditions of the property with steep slopes and limited locations for larger level building pad areas without extensive excavation, the proposed location of the accessory building/shop would provide a reasonable use of the property,

-Building design including location in relation to property slopes, color, and proposed landscaping to reduce the scale and visual impact of the building from Happy Hollow Road.

Cook discussed the applicant's proposal

-Property size in relation to R40 zoning provisions intended for smaller acreage properties

-Property at the extreme edge of the city limits with adjacent property outside the city limits

-Applicant's issues with confusion between city and county zoning and permit jurisdiction with accessory building design based on County zoning regulations

-Larger wooded property away from neighbors not typical property in R40 zoning district since the property is not in a typical subdivision setting

-Unique character of property

-Public Hearing –

Caleb – 150 Happy Hollow Ct

-Asked if building was just a garage or would be used as a business

-Staff requested applicant to respond to the question

Cook responded that the building is for storage of RV and other items and would include a half basketball court for owner to use since basketball is a large part of his life and occasionally do one on one training not any groups which are done off-site and gyms or churches. The training would be limited to something similar to individual home music or swimming lessons.

-Caleb responded that he thanked them for their response

No one else on the remote meeting call to speak for the request

Public Hearing Closed

-Ellis asked Mr. Stone about recent address confusion and permit issues

-Stone responded lady in front office at city hall called him about refunded burn permits issued

-Staff stated the lady was contacted about the property and address being in the city limits

-Freeman discussed the reference to subdividing the property and non-conforming building if variance approved and sharing the garage building and that the garage building would be connected to the applicant's property and asked if property has been subdivided

-Staff stated the property is discussed being deed divided to create a lot over five (5) acres due to septic fields required and the applicant had discussed due to property slope limitations that the two (2) property owners would share the accessory building/shop and use both of the proposed house(s) sq. ft. together estimated at 9,000- 9,200 sq.ft. to base the seventy (70%) percent accessory building sq. ft.

-Staff discussed the applicant's request regarding this was not included in staff recommendation due to property size and would be same issue with twenty-six (26) acres or two (2) larger acreage properties and concerned any staff stipulation on this issue could create issues in the future

-No discussion by Board so Broadwell asked for a motion

Motion:

Rager made the motion to approve the variances based on staff recommendations and the hardship encountered by applicant, Writesman seconded the motion. Motion passed 4-0. Philpot abstained. Roll call vote completed

Motion to adjourn by Rager, seconded by Gilmore. Motion to adjourn passed 5-0. Roll call vote completed

The meeting adjourned at 5:25 P.M.



Mike Broadwell, Chairman



Addam McCormick, Planning Director